

NEW IN 2022 PROPOSED ROCK CRUSHING FACILITY RULES




The Chicago Department of Public Health (CDPH) is committed to protecting and enhancing the health of our residents, particularly those who live in communities overburdened by industrial development.

In September 2021, CDPH issued proposed new rules to update and expand the existing requirements for facilities in Chicago that reprocess construction and demolition material (aka "rock crushing facilities"). Following an extended public comment period, CDPH made revisions to strengthen and clarify the proposed rules. The Revised Proposed Rules were released for public comment, together with an explanatory Responsiveness Document, on November 21, 2022. The Revised Proposed Rules and Responsiveness Document may be viewed at chicago.gov/environmentalrules.

CDPH aims to ensure that industrial facilities are located, designed, and managed in a way that minimizes any potential environmental impacts to air, land and water and other quality-of-life conditions that impact public health. That's why CDPH performs routine inspections and issues annual operating permits with a number of special conditions on such operations.

Rock crushing facilities are an important part of the municipal waste management system and the City's construction and demolition debris recycling ordinance. These facilities process construction materials, such as broken concrete, bricks and asphalt, for reuse. However, they can also be sources of dust, noise, and contaminated stormwater runoff.

The proposed new rules update and expand the existing requirements for rock crushers in Chicago and better protect the environment and public health by:

-  Reducing dust and minimizing air quality impacts in communities surrounding these facilities
-  Implementing continuous monitoring that can trigger proactive inspections
-  Enhancing CDPH oversight through greater reporting and record-keeping requirements

Based on public comments received on the initial draft, CDPH has refined and clarified these proposed new rules and is now seeking a second round of public comments through January 20, 2023.

SUMMARY OF PROPOSED NEW RULES FOR ROCK CRUSHING FACILITIES

The proposed new rules for rock-crushing facilities complement recently updated rules and ordinances that aim to protect public health and the environment. Significantly, the proposed rules would require all rock crushing facilities to:

- ✓ Conduct continuous air monitoring
- ✓ Maintain annual plans detailing steps they will take to make sure dust does not leave the site
- ✓ Notify CDPH anytime the monitors detect dust above a threshold and also have a plan in place to investigate and address such occurrences

IN ADDITION, ALL FACILITIES WILL HAVE TO:

- ✓ Conduct sampling of processed materials for lead to make sure they are safe for offsite use, as well as dust sampling to identify harmful components, such as asbestos and silica
- ✓ Provide detailed reporting to monitor compliance of facility four times each year
- ✓ Install and maintain appropriate paving
- ✓ Provide information about traffic impacts of the facility

Sites located along waterways or those that discharge to storm-only sewers must prepare a detailed pollution prevention plan. Facilities wishing to operate beyond normal operating hours must prepare a noise impact study (government infrastructure projects exempted).

These proposed rules will apply to both new and existing facilities; certain requirements for existing facilities will be implemented upon next permit renewal. For new and expanding facilities, the detailed application requirements, requiring a design report and operating plan, take effect **immediately on the Effective Date**. For existing facilities, the new application requirements will apply to their renewal applications submitted **one year after the Effective Date**. For all facilities, the new operating requirements, including air monitoring, take effect no later than **six (6) months from the issuance date of a permit** issued pursuant to the requirements of these rules.

PUBLIC PARTICIPATION



CDPH is committed to ensuring that community voices are heard in every process set forth by our Department and that all community input is taken into consideration prior to decision-making.

The proposed rules are available at **[CHICAGO.GOV/ENVIRONMENTALRULES](https://www.chicago.gov/environmentalrules)**

Written comments on the proposed rules are accepted at
[CHICAGO.GOV/ENVCOMMUNITYINFO](https://www.chicago.gov/envcommunityinfo) on or before 11:59 p.m. CT, January 20, 2023.